



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 38
Comm Number: 53583-1335-24-A
BRRTS Number: 03-57-283298
Site Name: Consumers Coop Oil Co
Site Address: 724 Phillips Blvd Sauk City WI

Project Manager: Hank Kuehling
Project Manager address: 3911 Fish Hatchery Rd Fitchburg WI 53711
Project Manager phone: 608-275-3286
Project Manager e-mail address hank.kuehling@dnr.state.wi.us

Bid Announcement Date	7/5/2005
Questions or requests for information must be submitted in writing and received by:	7/18/2005 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	8/5/2005
Bid End Date and Time:	8/19/2005 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Natural Resources, 3911 Fish Hatchery Rd, Fitchburg WI

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

Action Legal-Madison, 1 E Main St, Madison WI 53703

Phone: 608-663-1041

Fax: 608-663-1045

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

The site is currently occupied by a Piggly Wiggly supermarket, which was constructed in 1989. Prior to this current use, the site was occupied by a Transport Gas Station, which ceased operation in 1987 and the associated USTs were removed in 1989. A groundwater contaminant plume from the former Hardee's site, north of this site and closed by the Department of Commerce, is apparently mingling with the groundwater contaminant plume from this site.

Sandstone bedrock is approximately 125 feet deep in the Sauk City area. Soil encountered at the site is a 3-7 foot thick layer of silty/clayey sand or sandy silt/clay, underlain by fine to medium-grained sand with trace amounts of gravel. Groundwater is approximately 15-16 feet deep at the site and flows generally to the southeast. The Wisconsin River is located approximately 2,000 feet southeast of this site. Monitoring well nest (MW-6/P-7) information indicates that vertical gradients are negligible at that location.

Four monitoring wells (MW-4, MW-5, MW-6, and P-7) were installed on or in the vicinity of the site property as part of the Hardee's site investigation and are still in use for this site. Three additional wells (W-8, W-9, and W-10) were installed for this site's investigation in 2001 and two more wells (W-11 and W-12) were installed in 2003. Up to five rounds of groundwater monitoring were completed in the older wells (and 10 rounds for MW-4) between 2000 and 2004 and two to three rounds were completed for the newer wells. High levels of PVOCs have been found in MW-5, MW-6, W-9, and W-10, and increasing levels at MW-4. Free product has been found at various times at MW-4, MW-5, and W-9, but the thickest free product measurements have occurred at MW-6 (1.48 feet in April 2004).

No water supply wells are known to exist within at least 1,200 feet of this site.

For more details about site geology, the groundwater flow system, site conditions regarding the degree and extent of soil and groundwater contamination, and other site information, please review the following document:

“Phase III Environmental Site Investigation, Consumers Coop Oil Co”; dated May 25, 2003, by Ramaker & Associates, Inc.

To reduce copy costs, DNR has provided to the listed copy shop only a portion of the noted report. Additional and useful site information, including the document listed above, is contained in the case file at the DNR South Central Region office at 3911 Fish Hatchery Road, Fitchburg, WI, 53711. To view this file, contact Wendy Weihemuller at 608.275.3212.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☐ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☐ Contamination within bedrock or within 1 meter of bedrock.
- ☒ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

1. Install, in a one-day period and using the direct-push method and equipment, temporary monitoring wells, consisting of 1" diameter PVC and a 10 foot long PVC slotted well screen that spans the water table to identify the location of free phase petroleum product. This free product may be located to the east of the site on the Culver's Frozen Custard Restaurant property and in the Dallas Street right-of-way. Because of this possibility, obtain access permission from the owner of the Culver's Frozen Custard Restaurant property and the Village of Sauk City, owner of the street right-of-way. Installation of the temporary wells shall begin in locations based on and down-gradient of previous free product locations, such as MW-4, MW-5, W-9, and MW-6.

A Department of Natural Resources' soil boring log form, monitoring well construction form, and a boring/well abandonment form shall be submitted, for each boring/well installed, in the report required below.

2. For each temporary well installed as part of Task 1 above, a measurement of the thickness of free petroleum product, if present, shall be obtained on the day after well installation. After the free product measurement, remove the free product in the well, if present, and collect groundwater elevation data based on National Geodetic Survey data. After all of these tasks have been performed at each well, abandon each temporary well in accordance with ch. NR 141, Wis. Adm. Code. A table of free product thicknesses and groundwater elevation data shall be included in the report required below.

3. After the completion of Tasks 1 and 2 above, install free product recovery wells that are constructed in compliance with the requirements of ch. NR 141, after consulting with the WDNR project manager. Pump free product from the recovery well or wells as necessary. WDNR soil boring logs forms, well construction, and well development forms shall be submitted in the report required below.

4. Inspect all monitoring wells during each of the two groundwater monitoring events for the presence of free product. If present, measure the thickness of the product present in the well with a product interface probe (report product thickness and water level), remove the product with absorbent socks or by bailing, if the product thickness warrants bailing, and record the amount of product removed. If product is not present, report the water level. Report all of this information in the report required

below. Complete these inspection and product measurement activities prior to the well purging and well sampling and free product removal activities required in Task 6.

5. Measure groundwater elevations, based on National Geodetic Survey data, after free product, if present, has been removed as required in Task 4 above, in all monitoring wells in both required monitoring rounds. Include the results in tabular form in the report required below. Prepare groundwater flow maps, including flow direction and watertable contours, for each sampling round and include them in the required report.

6. Concurrent with or immediately following the completion of the work required in Tasks 1 and 2 above, conduct the first of two rounds of groundwater sampling and analysis for all of the following monitoring wells associated with this site: MW-4; MW-5; MW-6; P-7; W-8; W-9; W-10; W-11; and W-12. Conduct the second round of groundwater monitoring three months after the first for the same wells listed above. Analyze the groundwater samples for PVOs and naphthalene.

If free product is present in any of the monitoring wells, all possible efforts should be employed to attempt to obtain a representative groundwater sample that contains no free product. If free product is present, purge the free product before sampling and use a bottom discharge sampling device to help prevent any free product from being incorporated into the sample vial. Consequently, bidders should include in their bid the analytical and sampling costs for all wells listed above for both rounds, regardless of whether or not free product may be present in one or more monitoring wells.

7. The costs for disposal of all waste generated as part of each work task required herein shall be included in the cost included for that line item in the bid response table ("3rd Page"); in this case, purge water, soil, and free product. All waste barrels generated from site work activities must be labeled and placed in an inconspicuous place on the site and removed from the site within two weeks of each sampling round. Dispose the waste in accordance with s. NR 716.11(6), Wis. Adm. Code.

8. The consultant who contracts with the responsible party to conduct the activities described in this scope of work must contact the DNR project manager, currently Hank Kuehling, prior to beginning the activities of this scope of work and again when each phase of work is scheduled to begin. The scope of work activities must begin within 60 days of the signing of the contract between the responsible party and the consultant chosen to do this work.

9. Submit a report to the DNR project manager, and a copy to the Department of Commerce, that includes a table or tables of the groundwater quality data from the monitoring wells, along with all previously reported groundwater data, and water level measurement results with associated groundwater flow direction and contour maps for both monitoring rounds. All laboratory analytical report sheets for the reporting period must also be included. Also include a table of the groundwater quality data for the samples collected from the soil borings.

Also include in the report: a table of the free-product thicknesses measured in the temporary wells and monitoring wells; a summary of the collection of free product in all wells; a table of groundwater elevations measured in temporary wells; all forms required by the Department for the temporary well and permanent well installation and temporary well abandonment; a summary of all waste associated with this scope of work activities that was collected and disposed; and a description of any other work activities completed in accordance with this bid.

NOTE: This bid scope allows for the cost estimate to be provided on a unit cost basis to account for additional activities that may be required, such as installation of monitoring wells (2 inch diameter) per NR 141 requirements, additional direct push technology work or free product storage, treatment or disposal options, and additional reports as requested. The unit cost basis will be submitted in a table format for unit rates on Page Three of the bid response.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim

submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory’s bid is determined to be successful, the signatory must, within 15 days of the Department’s notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.

- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with GIS Registry*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards

Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07
Closure under Comm 46/NR 746
Mass reduction

** **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others

propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Consumers Coop Oil Co
COMMERCE NUMBER: 53583-1335-24
BRRTS NUMBER: 03-57-283298

Submit Bid To: Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone: () - _____
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: **Consumers Coop Oil Co**

COMMERCE NUMBER: **53583-1335-24**

BRRTS NUMBER: **03-57-283298**

Consulting Firm phone number () ____-____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.* The pages of each Bid Response must be ***stapled*** together. No paper clips or spiral bindings please.

BID RESPONSE**(3rd Page)**

Department of Commerce PECFA Program

SITE NAME: Consumers Coop Oil Co.**COMMERCE NUMBER: 53583-1335-24****BRRTS NUMBER: 03-57-283298**

Consulting Firm phone number () ____-____

A bid will be considered to be non-responsive if the bid response does not include separate tabulation of costs as indicated below.

1	Groundwater monitoring (include sample collection, sample analysis, water elevation measurement, and free product measurement and removal) per event	\$	
2	Number of Monitoring events		2
3	Monitoring (Tasks 4, 5, & 6) Subtotal (Row 1 X Row 2)	\$	
4	Install and monitor, using direct push technology, temporary small diameter monitoring wells with 10 foot screens (20 foot depth) to define free product plume for two 8 - hour days (Tasks 1 and 2).		
5	Documentation (required reports, correspondence, etc.)(Task 9)	\$	
6	Install ch. NR 141-compliant monitoring well for product recovery and/or groundwater monitoring, pump and dispose of all wastes, and all other associated activities, if necessary (Task 3) (unit rate).		
7	Total Bid Amount (sum items 1-6) – also include on Page 1 of bid response	\$	
8	Provide unit rate for one 8 hour day for direct push technology to install temporary small diameter monitoring wells with 10 foot screens to 20 foot depth, in case more work is necessary.	\$	
9	Monitor groundwater for one additional year, reporting, and waste disposal (includes all costs), in case more work is necessary.	\$	